GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Vijayawada Municipal Corporation – Allegations of failing to take action on the deviations from the approved building plan and failed to issue notice to the builder during illegal constructions in Vijayawada Municipal Corporation, Krishna District - Departmental action initiated against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation - Inquiry conducted - Imposition of penalty of "withholding of 10% pension for a period of five (5) years" under Rule-9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.1) DEPARTMENT

G.O.Rt.No.310 **Dated.15.03.2024.**

Read the following:

1. G.A (V&E) Department, Vigilance Report No.43 (C.No.3671/V&E/D1/ 2013), Dated.20.12.2014.
2. G.O.Rt.Nos.47, MA. & U.D (Vig.I) Department, Dated.04.02.2016.
3. G.O.Rt.No.425, MA&UD (Vig.II) Department, Dated.04.05.2018.
4. Inquiry Report of Sri B.Srinivasulu, Addl. Director of Town Planning, H.O., Mangalagiri cum Inquiry Officer received through the DTCP, A.P., Mangalagiri, Lr.Roc.No. 2680/2015/V.Cell, dt: 02.12.2021.
5. Govt. Memo No.628 /Vig-II/2015, Dated:09.05.2022.
6. Served copy (postal consignment) on Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation received through the DTCP, A.P., Mangalagiri, Lr. Roc.No. 2680/2015/V.Cell, dated:14.07.2022.
7. Show-cause Notice issued to Sri Ch.V. Satyanarayana, TPBO (Retired) vide Govt.Memo.No.628/Vig-II/2015/A1(E-421217), Dt.04.04.2023.
8. Explanation of Sri Ch.V. Satyanarayana, TPBO (Retired) dated.24.05.2023 received through DTCP , A.P., Lr.Roc.No.2680/2015/V.Cell, Dt. 05/06/2023.
9. Govt.Letter.No.628/Vig.II/2015/A1(E-421217), dated.24.08.2023.
10. From the Secretary, A.P.P.S.C., Vijayawada, Letter No.GAD03-APPS0DCC/93/2023-DC.SEC-APPSC (Computer No.2210874), dt:05.12.2023.

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O R D E R:

Based on the report of G.A. (V&E) Department, in the reference 1st read above, disciplinary action has been initiated against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, on the allegations of irregularities in construction/building deviations against approved plans in the Vijayawada Municipal Corporation, vide reference 2nd read above.

2. After following due procedure, in the reference 3rd read above, Government appointed Sri B.Srinivasulu, Addl. Director of Town Planning, H.O., Mangalagiri, as an Inquiry Officer to inquire into the charges framed against Sri Ch.V.Satyanarayana, the then TPBO (Now retired) and other Town Planning Officials of Vijayawada Municipal Corporation. The Inquiry Officer conducted inquiry and submitted his report, in reference 4th read above, duly stating that among the four charges framed against the C.O., three charges are held proved and one charge is not proved.

3. Government after careful examination of the Inquiry Report, submitted by the Inquiry Officer, accepted the findings of Inquiry Officer and a copy of said inquiry report was communicated to the charged officer Sri Ch.V.Satyanarayana, the then TPBO

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(Now retired), Vijayawada Municipal Corporation, with a direction to submit his written representation, if any, on the findings of the Inquiry Officer, in terms of Rule 21 (2) of APCS (CCA) Rules, 1991 vide reference 5th read above.

4. In the reference 6th read above, the DTCP, A.P., has furnished served copy of Inquiry report on Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation.

5. Government have examined the entire issue, keeping in view the findings of the Inquiry Officer and provisionally decided to impose a penalty of "withholding (10%) pension for a period of five (5) years" against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, in terms of Rule-9 of AP Revised Pension Rules, 1980, since he failed in preventing the construction of additional floor unauthorisedly without obtaining prior approval and no action was taken by him to control the deviation by issuing Notices under Section 42 of AP Urban Areas (Development) Act., 1975 also not discharged the statutory duties entrusted to him with due care and diligence.

6. In the reference 7th read above, a show cause notice has been issued to Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation as to why the above said penalty cannot be imposed against him under Rule 9 of A.P. Revised Pension Rules, 1980. In reply, the Charged Officer submitted his explanation in the reference 8th read above. He has not putforth any new grounds in his explanation for consideration, it is nothing but reiteration of his deposition before the Inquiring Authority.

7. After careful examination of the inquiry report, written explanation of the Charged Officer and after following due procedure, Government has decided to impose a penalty of "withholding (10%) pension for a period of five (5) years" against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, as he had failed to prevent the conversion of Vijaya Krishna Cinema Theatre as Commercial Complex; not conducted mandatory inspections and also failed in preventing the construction of additional floor unauthorizedly without obtaining prior approval from the competent authority.

8. In the reference 9th read above, while furnishing the case details and entire record, the APPSC, Vijayawada, has been requested to convey their concurrence for imposing the penalty of "withholding (10%) pension for a period of five (5) years" against the Charged officer, as per Rules in force. In the reference 10th read above, the Secretary, APPSC, Vijayawada, has informed that the Commission after thorough examination with regard to Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, opined that the proposed punishment is meagre and not in conformity with the delinquency and advised to enhance to 10% permanently.

9. Government have examined the matter; keeping in view of the advice of the A.P.P.S.C. and observed that the Govt., i.e., disciplinary authority after careful examination of the entire matter, has taken a provisional decision in imposing the penalty of "withholding (10%) pension for a period of five (5) years" against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation. This decision has been taken duly considering the gravity of charges, findings of Inquiring Authority, written representation of the charged officer, roles and responsibilities of all the charged officers.

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10. Government, after careful consideration of the matter, have decided that the provisional decision of the Government to impose the penalty of "withholding (10%) pension for a period of five (5) years" against the Charged Officer Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation; holds good and obtained orders at appropriate level, as per Rules and orders in vogue.

11. Accordingly, Government hereby impose a penalty of "withholding (10%) pension for a period of five (5) years" against the Charged Officer Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, under Rule-9 of A.P. Revised Pension Rules, 1980.

12. The Director of Town and Country Planning, A.P, Mangalagiri, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Ch.V.Satyanarayana, the then TPBO (now Retd.),
Vijayawada Municipal Corporation - **through** the DTCP, Mangalagiri.
The Director of Town & Country Planning, A.P., Mangalagiri.
Copy to:
The Secretary, A.P.P.S.C.
2nd Floor, MG Road ,Opp Indira Gandhi Municipal Stadium ,
New R&B Building M.G.Road Vijayawada, NTR District.
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, 5th Block, A.P. Secretariat.
SF / SC.

//FORWARDED BY ORDER//

SECTION OFFICER.